

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
EL PASO DIVISION**

<b>IN RE:</b>	§	
	§	
<b>THE GATEWAY VENTURES, LLC,</b>	§	<b>CASE NO. 21-30071-HCM</b>
	§	
<b>REORGANIZED DEBTOR.</b>	§	<b>CHAPTER 11</b>

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**MOTION TO EXPEDITE HEARING DATE  
ON EMERGENCY MOTION TO ENFORCE THE CHAPTER 11 PLAN,  
AND AWARD OTHER MISCELLANEOUS RELIEF**

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**TO THE HONORABLE H. CHRISTOPHER MOTT, U.S. BANKRUPTCY JUDGE:**

**COME NOW** WESTAR INVESTORS GROUP, LLC, SUHAIL BAWA, and SALEEM MAKANI (cumulatively “WESTAR”), creditors and parties-in-interest in the above captioned proceedings, by and through the undersigned counsel, and pursuant to L. Rule 9014(d)(4), hereby respectfully make and file this “Motion to Expedite Hearing Date on Emergency Motion to Enforce The Chapter 11 Plan, And Award Other Miscellaneous Relief” (“Motion”), and in support thereof would respectfully show the Court as follows:

**A. FACTUAL BACKGROUND.**

1. On October 5, 2021, this Court signed and filed a “Final Order Granting Emergency Motion of Debtor To Assume and Enforce Westar Subscription Agreement and Grant Related Relief (RE: Docket No. 219)” (“Final Order”). (DOC #231). (See Exhibit A attached hereto).

2. Paragraph No. 4 of the Final Order “directed” TGV to convey that certain “Lot 7” to WESTAR. Paragraph No. 11 of said Final Order states that said Final Order is not stayed by any provision of the Federal Rules of Bankruptcy Procedure and is “immediately enforceable.”

3. On October 15, 2021, this Court signed and filed an “Order (I) Approving First Amended Disclosure Statement In Support Of Plan Of Reorganization Of The Gateway Ventures LLC Dated September 1, 2021 And (II) Confirming First Amended Plan Of Reorganization As Modified Of The Gateway Ventures LLC Dated October 14, 2021 (Re: Docket Nos. 155, 245)” (“Confirmation Order”) (DOC #246). (See Exhibit B attached hereto). The Confirmation Order required TGV to, *inter alia*, pay \$100,000.00 in one lump sum to WESTAR, within forty-five (45) days of the Effective Date of the Plan of Reorganization.

4. On October 18, 2021, Debtor filed its “Notice of Effective Date of Confirmed Chapter 11 Plan of Reorganization (Re: Docket Nos 245, 246), therein providing that the Effective Date of the Plan was October 18, 2021. (DOC #251). (See Exhibit C attached hereto).

5. A month later, on November 4, 2021, as a meet and confer, WESTAR requested that TGV provide the El Paso County Clerk’s Office with a signed warranty deed granting the Lot 7 to WESTAR, as directed by the Final Order. (See Exhibit D attached hereto).

6. On November 30, 2021, as another meet and confer, WESTAR requested a second time that TGV inform WESTAR as to (a) when TGV intended to provide WESTAR with the warranty deed granting the Lot 7 to WESTAR, as “directed” by the Final Order, and (b) whether TGV will be paying Westar the lump sum payment of \$100,000 on or before December 2, 2021, which was within forty-five (45) days of the Effective Date of the Plan of Reorganization, as required in the Confirmation Order approving the First Amended Plan. (DOC #245). (See Exhibit E attached hereto).

7. TGV responded with numerous excuses, none of which provided a date certain as to when TGV intended to provide WESTAR, or the El Paso County Clerk’s Office, with the warranty deed granting subject Lot 7 to WESTAR, as directed by the Final Order.

8. As of this date, TGV has failed and refused to provide WESTAR with (a) the Lot 7 warranty deed, and (b) the lump sum payment of \$100,000, and is thus in violation of the Final Order and the Plan.

9. On this date, WESTAR filed their Emergency Motion to Enforce The Chapter 11 Plan, And Award Other Miscellaneous Relief. Therefore, WESTAR hereby moves the Court to expedite the hearing date on the Motion to Compel Issuance of Warranty Deed.

**B. ARGUMENT AND AUTHORITIES.**

10. Good cause exists under L. Rule 9014(e) for the granting of an expedited hearing, because WESTAR is unable to proceed with the development of subject Lot 7, due to TGV's ongoing failure and refusal to comply with the Final Order, and the Plan.

**C. PRAYER.**

**WHEREFORE, ALL PREMISES CONSIDERED, AND FOR THE FOREGOING REASONS,** WESTAR prays the Court grant this Motion to Expedite Hearing Date on WESTAR's Motion to Expedite Hearing Date on Emergency Motion to Enforce The Chapter 11 Plan, And Award Other Miscellaneous Relief.

Date: December 22, 2021

Respectfully submitted,

**THE NEVAREZ LAW FIRM, PC**  
A Professional Corporation  
7362 Remcon Circle  
El Paso, Texas 79912  
Telephone: (915) 225-2255  
Facsimiles: (915) 845-3405  
Email: [MNevarez@LawOfficesMRN.com](mailto:MNevarez@LawOfficesMRN.com)

/s/ Michael R. Nevarez

By: **MICHAEL R. NEVAREZ**  
State of Texas Bar No. 14933400

Attorney for WESTAR INVESTORS GROUP, LLC,  
SUHAIL BAWA, and SALEEM MAKANI

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Motion to Expedite Hearing Date on Emergency Motion to Enforce The Chapter 11 Plan, And Award Other Miscellaneous Relief

*In Re: The Gateway Ventures, LLC,*

USBC-WDTX, El Paso Division, Case No. 21-30071-hcm

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing **MOTION TO EXPEDITE HEARING DATE ON EMERGENCY MOTION TO ENFORCE THE CHAPTER 11 PLAN, AND AWARD OTHER MISCELLANEOUS RELIEF** was served either by electronic means as listed on the Court's CM/ECF filing and noticing system, and/or by regular first-class mail, postage prepaid, to all creditors listed on the Debtors' creditor's matrix, and to the following parties in interest, on or before December 22, 2021:

**ATTORNEYS FOR DEBTOR:**

Jeff Carruth  
Weycer Kaplan Pulaski & Zuber, P.C.  
25 Greenway Plaza, #2050  
Houston, TX 77046  
Email: [jarruth@wkpz.com](mailto:jarruth@wkpz.com)

**ATTORNEYS FOR CREDITORS:**

David P. Lutz  
MARTIN & LUTZ, P.C.  
P.O. Drawer 1837  
Las Cruces, NM 88004  
Email: [dplutz@qwestoffice.net](mailto:dplutz@qwestoffice.net)

Harrel L. Davis, III  
Gordon Davis Johnson & Shane, P.C.  
4695 N. Mesa Street  
El Paso, TX 79912  
Email: [hdavis@eplawyers.com](mailto:hdavis@eplawyers.com)

Aldo R. Lopez  
Ray Pena McChristian, P.C.  
5722 Cromo Drive  
El Paso, TX 79922  
Email: [alopez@raylaw.com](mailto:alopez@raylaw.com)

Eric C. Wood  
Brown Fox, PLLC  
5550 Granite Parkway, Suite 175  
Plano, TX 75024  
Email: [eric@brownfoxlaw.com](mailto:eric@brownfoxlaw.com)

/s/ Michael R. Nevarez  
**MICHAEL R. NEVAREZ**